

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 31, 2006

DIVISION ONE

B175362 People (Not for Publication)
v.
Julian F. Medina

The judgment is reversed. The trial court is directed to conduct a hearing on defendant's *Pitchess* motion. If there is no discoverable information in the detectives' personnel files, then the trial court is ordered to reinstate the judgment—staying the sentence on count 1, possession for sale of a controlled substance—and the judgment is affirmed. If there is discoverable information and defendant can establish that it was admissible and that he was prejudiced by the denial of its discovery, then the trial court is directed to order a new trial. If defendant is unable to establish prejudice, then the trial court is ordered to reinstate the judgment—staying the sentence on count 1—and the judgment is affirmed.

Spencer, P.J.

We concur: Mallano, J.
 Rothschild, J.

B183719 Tatyana Josef Voylokov (Not for Publication)
v.
Vyacheslav Voylokov

The order is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Mallano, J.

DIVISION ONE (Continued)

B177543 Maxmilian Ma (Not for Publication)
 v.
 Eric E. Johnson

The judgment is affirmed. Johnson is awarded his costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Mallano, J.

B182889 Leonard G. Muskin (Not for Publication)
 v.
 City of Beverly Hills

The judgment is affirmed. Respondent(s) to recover costs.

Rothschild, J.

We concur: Mallano, Acting P.J.
 Vogel (Miriam A.), J.

B176537 Sheila Moore (Not for Publication)
 Barry B. Kaufman
 v.
 Frances L. Diaz

The order is affirmed. Kaufman is awarded his costs of appeal, including attorney's fees in the amount of \$2,500.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Rothschild, J.

DIVISION ONE (Continued)

B179625 John B. Kihm III (Not for Publication)

v.

Roberts & Gutierrez et al.

The judgment is affirmed.

Spencer, P.J.

We concur: Mallano, J.
 Croskey, J. (Assigned)

DIVISION TWO

B178716 People (Not for Publication)

v.

William D.

The orders under review are affirmed. The juvenile court shall correct the October 15, 2004, minute order to state probation condition Nos. 15 and 21, as follows: “Do not knowingly associate with anyone disapproved by parents, probation officer . . . ” and “Do not use or possess narcotics, controlled substances, poisons, or related paraphernalia; stay away from places where you know that users congregate.”

Doi Todd, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

B179314 People (Not for Publication)

v.

Collier

The judgment is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

January 31, 2006 (Continued)

DIVISION TWO (Continued)

B180699 People (Not for Publication)
v.
Smith

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Chavez, J.

B183135 People (Not for Publication)
v.
Bentley

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Ashmann-Gerst, J.

DIVISION FOUR

B180848 People (Not for Publication)
v.
Solano

The judgment is affirmed.

Epstein, P.J.

We concur: Curry, J.
Willhite, J.

January 31, 2006 (Continued)

DIVISION FOUR (Continued)

B183865 People (Not for Publication)
v.
Sawyer

The judgment is affirmed.

Epstein, P.J.

We concur: Hastings, J.
Curry, J.

B183516 People (Not for Publication)
v.
McCoy

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Curry, J.

B181920 Lopez (Not for Publication)
v.
White Memorial Center et al.

The order denying arbitration is affirmed. Costs on appeal are awarded to respondent.

Hastings, J.

We concur: Epstein, P.J.
Willhite, J.

DIVISION FIVE

B176953 Ken Colgan & Chris Wilson etc.

v.

Leatherman Tool Group, Inc., an Organ Corporation,

Filed order modifying opinion. Respondent's Petition for rehearing is denied. (No change in the judgment)

B182411 Integrated Health Systems Inc. et al., (Not for Publication)

v.

Omnicare Medical Group, Inc. et al.,

The judgment is reversed. Appellant(s) to recover costs.

Turner, P.J.

We concur: Armstrong, J.
Kriegler, J.

DIVISION EIGHT

Court convened at 9:00 a.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Connie Hon, Deputy Clerk.

Each of the following:

B177984 People v. Stewart M.

B180430 People v. Cruz

B183441 DCFS v. Jorge P.

B176727 People v. Gonzales

B177804 Dalal v. City Of Los Angeles

B183517 DCFS v. Tryphena R.

B183575 DCFS v. Reginald G. & Jennifer B.

Argument waived, cause submitted.

DIVISION EIGHT (Continued)

B176302 Cervera,
 v.
 The Salvation Army,

Merits:
Argued by Krishna R. Malhotra for appellant/cross-respondent and by
Charles V. Berwanger for respondent/cross-appellant. Cause submitted.

Presiding Justice Cooper leaves the bench.

B181455 Reiner et al.,
 v.
 Nasatir, Hirsch, Podberesky & Genego et al.,

Merits:
Argued by John L. Reiner, appellant in propria persona, and by Steven S.
Fleischman for respondents. Cause submitted.

Presiding Justice Cooper returns to the bench.

B180324 Turtle Ridge Media Group, Inc.,
 v.
 Pacific Bell Directory et al.,

Merits:
Argued by Robyn Roberts for appellants and by Lucien A. Schmit, III for
respondent. Cause submitted.

Justice Rubin leaves the bench.

B177646 Dickerhoof,
 v.
 Associated Mortgage Corporation et al.,

Merits:
Argued by Marvin N. Bernstein for appellant and by Robert B. Schachter
for respondents. Cause submitted.

DIVISION EIGHT (Continued)

B182091 Talleur,
 v.
 Marti Enterprises, Inc.,

Merits:

Argued by Anthony A. Sears for appellant and by David H. Ricks for respondent. Cause submitted.

B179751 Burkle
 v.
 Burkle

Matter continued to February 28, 2006.

B173875 People
 v.
 Price et al.

Matter continued to February 28, 2006.

Court recessed at 11:19 a.m.

Court reconvened at 1:02 p.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Connie Hon, Deputy Clerk.

B179090 Construction Laborers Trust Funds,
 v.
 Juarez

Appearances:

Appellant waives oral argument. Christian R. Juarez, respondent in propria persona makes an appearance. Argument waived, cause submitted.

DIVISION EIGHT (Continued)

B178207 Stroock & Stroock & Lavan LLP,
 v.
 Tandler et al.,

Merits:

Argued by Deborah Drooz for appellant and by Natalie Kouyoumdjian for respondents. Cause submitted.

B181348 Foster,
 v.
 Precision Automotive Brake Supply et al.,

Appearances:

Jack A. Fleischili for appellant and by Mark Smith for respondents.
Argument waived, cause submitted.

Justice Flier leaves the bench.

B172679 Security Network et al.,
 v.
 Humboldt Bank et al.,

Merits:

Argued by Stephen D. Rothschild for appellants and by Robert A. Olson for respondents. Cause submitted.

Court recessed at 2:09 p.m.

Court reconvened at 2:28 p.m.

Present: Cooper, P.J., Boland, J., Flier, J. and Connie Hon, Deputy Clerk.

DIVISION EIGHT (Continued)

B169636 Consumer Advocacy Group, Inc.,
 v.
 Kintetsu Enterprises Company of America et al.,

Merits:

Argued by Reuben Yeroushalmi for appellant; by Edward G. Weil, Deputy Attorney General for Amicus Curiae and by Anthony Graham, Patrick W. Dennis and Jeffrey K. Riffer for respondents. Cause submitted.

January 31, 2006 (Continued)

**ADD TO THE MINUTES OF JANUARY 24, 2006
FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

DIVISION FIVE

B180461 Newmyer
B184674 v.
 Parklands Ranch, LLC

Filed order consolidating above captioned appeals

January 31, 2006 (Continued)

**ADD TO THE MINUTES OF JANUARY 25, 2006
FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

DIVISION FIVE

B176953 Ken Colgan
 v.
 Leatherman's Tool Group

Filed order denying appellant's petition for rehearing.